

U.S. Department of Justice  
United States Marshals Service

**PROCESS RECEIPT AND RETURN**  
See "Instructions for Service of Process by U.S. Marshal"

PLAINTIFF  
Owyhee Produce, LLC  
DEFENDANT  
Kimberly Perez, et al.

COURT CASE NUMBER  
C-07-04117 JF

2008 AUG 18 A 9 37

Service of Writ

RICHARD W. WIEKING  
CLERK

U.S. DISTRICT COURT  
NO. DIST. OF CA. S.J.

**SERVE AT**

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN  
Nob Hill Foods, 222 Mount Hermon Road, Scotts Valley, CA 95066  
ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW

Paul Hart, Esq.  
JOHNSON & MONCRIEF  
295 S. Main, Ste. 600  
Salinas, CA 93901

Number of process to be served with this Form 285

Number of parties to be served in this case

Check for service on U.S.A.

RECEIVED  
UNITED STATES MARSHAL  
OF CALIFORNIA  
NORTHERN DISTRICT  
08 JUL 16 AM 10:07

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service):

Fold

Fold

*Paul Hart*

Signature of Attorney/other Originator requesting service on behalf of:

☒ PLAINTIFF  
☐ DEFENDANT

TELEPHONE NUMBER  
831-759-0900

DATE  
7/10/08

**SPACE BELOW FOR USE OF U.S. MARSHAL ONLY-- DO NOT WRITE BELOW THIS LINE**

I acknowledge receipt for the total number of process indicated.  
(Sign only for USM 285 if more than one USM 285 is submitted)

Total Process

District of Origin  
No. 11

District to Serve  
No. 11

Signature of Authorized USMS Deputy or Clerk

Date

07/17/08

I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☒ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the on the individual, company, corporation, etc. shown at the address inserted below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (See remarks below)

Name and title of individual served (if not shown above)

☐ A person of suitable age and discretion then residing in defendant's usual place of abode

Address (complete only different than shown above)

Date Time ☐ am ☐ pm

Signature of U.S. Marshal or Deputy

Service Fee

Total Mileage Charges including endeavors

Forwarding Fee

Total Charges

Advance Deposits

Amount owed to U.S. Marshal\* or (Amount of Refund\*)

\$45.00

45.00

\$45.00

\$0.00

REMARKS: 7/11/08-RPs. 7/22/08 EWO served by RPs

PRINT 5 COPIES:

1. CLERK OF THE COURT
2. USMS RECORD
3. NOTICE OF SERVICE
4. BILLING STATEMENT\*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal.
5. ACKNOWLEDGMENT OF RECEIPT

PRIOR EDITIONS MAY BE USED

## **INSTRUCTIONS FOR SERVICE OF PROCESS BY U.S. MARSHAL**

Please type or print legibly, insuring readability of all copies. DO NOT DETACH ANY COPIES. Submit one complete set of this form (USM-285) and one copy of each writ for each individual, company, corporation, etc., to be served or property to be seized or condemned. The applicable fees for such service(s) (T28, USC Sec. 1921 establishes the fees for service of process by the U.S. Marshal) may be required prior to said service.

For service of any process upon an officer or agent of the United States Government, submit a copy of the writ and a set of Form USM-285 for each officer or agent upon whom service is desired. Submit three (3) additional copies of the writs for service upon the Government of the United States. The U.S. Marshal will serve one (1) upon the U.S. Attorney and will forward two (2) to the Attorney General of the United States. (When the applicable box is checked, completion of the final signature block by the U.S. Marshal or his Deputy always certifies service on the U.S. Attorney and the Attorney General, regardless of whether other defendants on the writ were served.) Failure to provide any of the copies will delay service of the writ.

Complete all entries above the double line. Mark all applicable check boxes and use the "Special Instructions" to advise of any information that will assist the U.S. Marshal in expediting service.

If more than one writ and USM-285 is submitted on a single case, the U.S. Marshal will receipt for all of them on the first USM-285. You will receive for your records the last (No. 5) "Acknowledgment of Receipt" copy for all the USM-285 forms you submit. When the writ is served, you will receive the No. 3 Notice of Service copy. This copy will be identical to the return to the Clerk of the Court.

Upon completion of all services (if the Marshals fees were not requested or tendered in advance or if additional fees are indicated), you will receive a "Billing Statement" (copy 4 of USM-285) from the United States Marshal. (NOTE: Copy 4 should be returned, by you, to the U.S. Marshal, together with your payment of the amount owed.

Additional supplies of the USM-285 may be obtained from the Clerk of the U.S. District Court or U.S. Marshal, without cost.

<b>Attorney or Party without Attorney:</b> PAUL HART ESQ, Bar #237766 JOHNSON & MONCRIEF 295 SOUTH MAIN STREET, SUITE 600 Salinas, CA 93901 Telephone No: 831-759-0900 FAX No: 831-7590902			<b>For Court Use Only</b>		
<b>Attorney for. Plaintiff</b>			<b>Ref. No. or File No.:</b> 06133.000		
<b>Insert name of Court, and Judicial District and Branch Court:</b> UNITED STATES DISTRICT COURT					
<b>Plaintiff:</b> OWYHEE PRODUCE, LLC <b>Defendant:</b> KIMBERLY PEREZ, ET AL					
<b>PROOF OF SERVICE WRIT OF EXECUTION</b>		<b>Hearing Date:</b>	<b>Time:</b>	<b>Dept/Div:</b>	<b>Case Number:</b> c-07-04117JF

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the WRIT OF EXECUTION; (x2); EARNINGS WITHHOLDING ORDER(x2); EMPLOYER'S RETURN(x2); EMPLOYEE INSTRUCTIONS
3. a. Party served: NOB HILL FOODS  
 b. Person served: RICK HOWELL--DISTRICT MANAGER
4. Address where the party was served: 222 MT. HERMON ROAD  
 SCOTTS VALLEY, CA 95066
5. I served the party:
  - a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Tue., Jul. 22, 2008 (2) at: 11:20AM

7. Person Who Served Papers:

a. JOSEPH COGDELL



1541 Bayshore Hwy. GENERAL@AALEGALSERVICE.COM  
 Burlingame, CA 94010-1602 Fax (650) 697-4640  
 (650) 697-9431

Recoverable Cost Per CCP 1033.5(a)(4)(B)

d. The Fee for Service was:

e. I am: (3) registered California process server

(i) Independent Contractor

(ii) Registration No.: S200610000031

(iii) County: Fresno

RECEIVED  
 UNITED STATES DISTRICT  
 COURT  
 NORTHERN DISTRICT  
 OF CALIFORNIA  
 08 JUL 30 AM 10:27

8. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: Wed, Jul. 23, 2008